

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 21-2740

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United States of America

Plaintiff - Appellee

v.

Brittany Dawn Jeffrey

Defendant - Appellant

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Appeal from U.S. District Court for the Eastern District of Arkansas - Central  
(4:20-cr-00288-DPM-2)

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**JUDGMENT**

Before LOKEN, STRAS, and KOBES, Circuit Judges.

This court has reviewed the original file of the United States District Court. It is ordered by the court that the order of the district court is summarily affirmed. See [Eighth Circuit Rule 47A\(a\)](#).

August 25, 2021

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans

Adopted April 15, 2015  
Effective August 1, 2015

**Revision of Part V of the Eighth Circuit Plan to Implement the Criminal Justice Act of 1964.**

**V. Duty of Counsel as to Panel Rehearing, Rehearing En Banc, and Certiorari**

Where the decision of the court of appeals is adverse to the defendant in whole or in part, the duty of counsel on appeal extends to (1) advising the defendant of the right to file a petition for panel rehearing and a petition for rehearing en banc in the court of appeals and a petition for writ of certiorari in the Supreme Court of the United States, and (2) informing the defendant of counsel's opinion as to the merit and likelihood of the success of those petitions. If the defendant requests that counsel file any of those petitions, counsel must file the petition if counsel determines that there are reasonable grounds to believe that the petition would satisfy the standards of Federal Rule of Appellate Procedure 40, Federal Rule of Appellate Procedure 35(a) or Supreme Court Rule 10, as applicable. *See Austin v. United States*, 513 U.S. 5 (1994) (*per curiam*); 8th Cir. R. 35A.

If counsel declines to file a petition for panel rehearing or rehearing en banc requested by the defendant based upon counsel's determination that there are not reasonable grounds to do so, counsel must so inform the court and must file a written motion to withdraw. The motion to withdraw must be filed on or before the due date for a petition for rehearing, must certify that counsel has advised the defendant of the procedures for filing *pro se* a timely petition for rehearing, and must request an extension of time of 28 days within which to file *pro se* a petition for rehearing. The motion also must certify that counsel has advised the defendant of the procedures for filing *pro se* a timely petition for writ of certiorari.

If counsel declines to file a petition for writ of certiorari requested by the defendant based on counsel's determination that there are not reasonable grounds to do so, counsel must so inform the court and must file a written motion to withdraw. The motion must certify that counsel has advised the defendant of the procedures for filing *pro se* a timely petition for writ of certiorari.

A motion to withdraw must be accompanied by counsel's certification that a copy of the motion was furnished to the defendant and to the United States.

Where counsel is granted leave to withdraw pursuant to the procedures of *Anders v. California*, 386 U.S. 738 (1967), and *Penson v. Ohio*, 488 U.S. 75 (1988), counsel's duty of representation is completed, and the clerk's letter transmitting the decision of the court will notify the defendant of the procedures for filing *pro se* a timely petition for panel rehearing, a timely petition for rehearing en banc, and a timely petition for writ of certiorari.

**United States Court of Appeals**  
***For The Eighth Circuit***  
Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329  
**St. Louis, Missouri 63102**

**Michael E. Gans**  
***Clerk of Court***

**VOICE (314) 244-2400**  
**FAX (314) 244-2780**  
**[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)**

August 25, 2021

Mr. John Wesley Hall Jr.  
JOHN WESLEY HALL, JR., P.C.  
Suite 210  
1202 Main Street  
Little Rock, AR 72202-5057

RE: 21-2740 United States v. Brittany Jeffrey

Dear Counsel:

Enclosed is a copy of an order entered today in the above case. Mandate is being issued and sent today to the Clerk of the United States District Court.

Michael E. Gans  
Clerk of Court

MVP

Enclosure(s)

cc: Ms. Tammy H. Downs  
Ms. Brittany Dawn Jeffrey  
Mr. John Ray White  
Ms. Stacy Rachelle Williams

District Court/Agency Case Number(s): 4:20-cr-00288-DPM-2

**From:** [ca08ml\\_cmeef\\_notify@ca8.uscourts.gov](mailto:ca08ml_cmeef_notify@ca8.uscourts.gov)  
**Subject:** 21-2740 United States v. Brittany Jeffrey "judgment filed sua sponte affirmed 47A" (4:20-cr-00288-DPM-2)  
**Date:** Wednesday, August 25, 2021 3:37:55 PM

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### Eighth Circuit Court of Appeals

#### Notice of Docket Activity

The following transaction was filed on 08/25/2021

**Case Name:** United States v. Brittany Jeffrey  
**Case Number:** [21-2740](#)  
**Document(s):** [Document\(s\)](#)

#### Docket Text:

**JUDGMENT FILED** - This case is summarily affirmed in accordance with Eighth Circuit Rule 47A. Mandate shall issue forthwith. JAMES B. LOKEN, DAVID R. STRAS and JONATHAN A. KOBES Adp Aug 2021 [5069517] [21-2740] (Megan Polley)

#### Notice will be electronically mailed to:

Ms. Tammy H. Downs, Clerk of Court: [ared\\_appeals@ared.uscourts.gov](mailto:ared_appeals@ared.uscourts.gov)  
 Mr. John Wesley Hall, Jr., Attorney: [forhall@aol.com](mailto:forhall@aol.com), [tj.lavelle@yahoo.com](mailto:tj.lavelle@yahoo.com), [tjl@forhall.com](mailto:tjl@forhall.com), [sarah@forhall.com](mailto:sarah@forhall.com)  
 Mr. John Ray White, Assistant U.S. Attorney: [john.white2@usdoj.gov](mailto:john.white2@usdoj.gov), [sonya.jeffords2@usdoj.gov](mailto:sonya.jeffords2@usdoj.gov), [caseview.ecf@usdoj.gov](mailto:caseview.ecf@usdoj.gov),  
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 Ms. Stacy Rachelle Williams, Assistant U.S. Attorney: [Stacy.Williams@usdoj.gov](mailto:Stacy.Williams@usdoj.gov), [sharon.talbot@usdoj.gov](mailto:sharon.talbot@usdoj.gov), [stephanie.mazzanti@usdoj.gov](mailto:stephanie.mazzanti@usdoj.gov),  
[john.webster@usdoj.gov](mailto:john.webster@usdoj.gov), [leslie.bright@usdoj.gov](mailto:leslie.bright@usdoj.gov)

#### Notice will be mailed to:

Ms. Brittany Dawn Jeffrey  
 22806-509  
 GREENE COUNTY DETENTION CENTER  
 1809 N. Rocking Chair Road  
 Paragould, AR 72450

The following document(s) are associated with this transaction:

#### Document Description:

Cover Letter  
**Original Filename:** /opt/ACECF/live/forms/MeganPolley\_212740\_5069517\_GeneralCoverLetters\_122.pdf

#### Electronic Document Stamp:

[STAMP acecfStamp\_ID=1105112566 [Date=08/25/2021] [FileNumber=5069517-0]  
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#### Recipients:

- [Ms. Tammy H. Downs, Clerk of Court](#)
- [Mr. John Wesley Hall, Jr., Attorney](#)
- [Ms. Brittany Dawn Jeffrey](#)
- [Mr. John Ray White, Assistant U.S. Attorney](#)
- [Ms. Stacy Rachelle Williams, Assistant U.S. Attorney](#)

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[STAMP acecfStamp\_ID=1105112566 [Date=08/25/2021] [FileNumber=5069517-1]  
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- [Mr. John Wesley Hall, Jr., Attorney](#)
- [Ms. Brittany Dawn Jeffrey](#)
- [Mr. John Ray White, Assistant U.S. Attorney](#)
- [Ms. Stacy Rachelle Williams, Assistant U.S. Attorney](#)

#### Document Description:

Revision Part V of Plan to Implement CJA  
**Original Filename:** /opt/ACECF/live/forms/MeganPolley\_212740\_5069517\_RevisionPartVofPlantoImpCJA\_539.pdf

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#### Recipients:

- [Mr. John Wesley Hall, Jr., Attorney](#)

The following information is for the use of court personnel:

**DOCKET ENTRY ID:** 5069517

**RELIEF(S) DOCKETED:**

affirmed 47A

**DOCKET PART(S) ADDED:** 6836654, 6836655, 6836656